

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MONTANA  
GREAT FALLS DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

JORGE JARERO VICTOR, aka Jorge  
Jarero,

Defendant.

**CR-17-37-GF-BMM-JTJ**

**ORDER ADOPTING FINDINGS  
AND RECOMMENDATIONS AND  
GRANTING MOTION TO  
CHANGE PLEA**

Defendant Jorge Jarero Victor (Victor) appeared before United States Magistrate Judge John Johnston on August 8, 2017, and entered a plea of guilty to Illegal Reentry of a Removed Alien, as set forth in the Indictment. Judge Johnston entered Findings and Recommendations the same day. (Doc. 22.) Judge Johnston determined: (1) that Victor was fully competent and capable of entering an informed and voluntary plea; (2) that Victor was aware of the nature of the charges against him and the consequences of pleading guilty to the charge; (3) that Victor understood his constitutional rights, and the extent to which he was waving those rights by pleading guilty; (4) that Victor's plea of guilty was a knowing and voluntary plea supported by an independent basis in fact establishing each of the essential elements of the offense charged; (5) that Victor had adequate time to

review the Plea Agreement with counsel; and (6) that Victor understood each provision of the Plea Agreement. (Doc. 22 at 1-2.) Judge Johnston recommended that this Court accept Victor's plea of guilty. (Doc. 22 at 2.) Neither party filed objections to Judge Johnston's Findings and Recommendations.

Given that no objections were filed, the Court has reviewed Judge Johnston's Findings and Recommendations for clear error. *McDonnell Douglas Corp. v. Commodore Bus. Mach., Inc.*, 656 F.2d 1309, 1313 (9th Cir. 1981). The Court finds no error in Judge Johnston's Findings and Recommendations, and adopts them in full.

Accordingly, IT IS ORDERED:

1. Victor's Motion to Change Plea (Doc. 16) is GRANTED.
2. The Court will defer acceptance of the Plea Agreement (Doc. 17) until sentencing, at which time the Court will have reviewed both the Plea Agreement and the Presentence Investigation Report.

DATED this 28th day of August, 2017.



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Brian Morris  
United States District Court Judge